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MEMORANDUM

DATE: April 3, 2017
TO: House Committee on Education
FROM: Ava Bartley, FACT Oregon
RE: Support for "-1" Amendments to HB 3318

Chair Doherty, Vice Chairs Hernandez and Wilson, and Members of the House Committee on Education:

My name is Ava Bartley, and I am the Advocacy and Engagement Director for FACT Oregon. I am writing to provide testimony in support for **HB 3318**, as amended by the "-1" amendments to the bill, which establishes procedures for conducting functional behavioral analysis and for developing, reviewing and revising behavior intervention plans for students with individualized education programs or 504 Plans.

FACT Oregon's mission is to empower Oregon families experiencing disability in pursuit of whole lives in their community. We do this with focused work in three interconnected areas: expanding awareness, growing community, and equipping families. The outcome is families with high expectations for their child and a vision for the future where all communities are accessible, welcoming, and embrace that disability is natural.

Since 2012, FACT Oregon has been Oregon's parent training and information center through a grant from the US Department of Education's Office of Special Education Programs. Through services created "by families for families," we have helped thousands of families each year navigate barriers, create a culture of inclusion, and demonstrate that a whole life is possible. We do this through in-person trainings, educational conferences, webinars, and support through our statewide helpline via phone and email.

Based on our work supporting families whose children experience disability, and in particular, children who also experience behavioral challenges, we believe HB

Empower Oregon families experiencing disability in their pursuit of a whole life by expanding awareness, growing community, and equipping families.

3318, as amended by the “-1” amendments to the bill, will help meet student needs by:

1. Ensuring that the IEP team goes through the important process of collecting data about a student who experiences behavior challenges by requiring that a functional behavioral analysis is conducted and a behavior intervention plan is developed for every student who has an IEP or 504 plan and who places themselves, other students or staff at imminent risk of serious bodily injury as a result of their behavior.
2. Ensuring that the process described above happens quickly (within 60 calendar days of the incident).
3. Putting important quality standards in place by requiring that a functional behavior assessment be conducted by a “qualified professional,” which will be further defined in rulemaking by the Oregon Department of Education. We look forward to helping further define the qualifications and criteria for this standard through participation in the rulemaking process.
4. Requiring that school districts involve individuals who will be responsible for implementing the behavior intervention plan by allowing them to provide input into the development, review and revision of a plan and providing them appropriate supports and training they may require to correctly and successfully implement the plan.

Bottom line—if we don’t understand what is causing behavior, we can’t develop appropriate interventions or strategies to produce more desired behavior. We encourage you to put more rigor in this area and ensuring that it’s driven by data by adopting the “-1” amendment to HB 3318 and moving it to the House floor with a do pass recommendation.

Thank you for your service to our state and for your support of Oregon children experiencing disability.

Ava Bartley
Advocacy and Engagement Director
FACT Oregon